

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EDWARD D. ANDERSON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

Case No. C13-1378-RSM-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 8. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 21.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (“ALJ”). On remand, the ALJ shall reevaluate plaintiff’s residual functional capacity. The ALJ shall address the medical evidence, including Drs. Neiman and Chabal’s assessments regarding the claimant’s physical functioning, including any limitations related to his ability to sit or stand. The ALJ shall obtain updated VE testimony addressing steps four and

1 five, if necessary. If there is no other work that will accommodate the limits on the claimant's  
2 sitting and standing abilities, the ALJ shall consider the applicability of Grid Rule 202.06 as of  
3 the alleged onset date.

4 Upon proper application, the Court will consider whether reasonable attorney's fees and  
5 costs should be awarded pursuant to 28 U.S.C. § 2412.

6 Because the parties have stipulated that the case be remanded as set forth above, the  
7 Court recommends that United States District Judge Ricardo S. Martinez immediately approve  
8 this Report and Recommendation. The Clerk should note the matter for **May 8, 2014** as ready  
9 for Judge Martinez's consideration. A proposed order accompanies this Report and  
10 Recommendation.

11 DATED this 8th day of May, 2014.

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13 JAMES P. DONOHUE  
14 United States Magistrate Judge  
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